

CALIFORNIA LEGISLATURE  
2015–16 REGULAR SESSION

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# SENATE DAILY JOURNAL

FIFTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Thursday, January 8, 2015

The Senate met at 9:03 a.m.

Hon. Ricardo Lara, of the 33rd District, presiding.

Secretary Daniel Alvarez at the Desk.

Assistant Secretary Zachary L. Twilla reading.

### QUORUM CALL OF THE SENATE

Without objection, a quorum call was placed upon the Senate.

The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

### PROCEEDINGS UNDER QUORUM CALL OF THE SENATE ROLL CALL

The roll was called and the following Senators answered to their names:

Allen, Anderson, Beall, Berryhill, Block, Cannella, De León, Fuller, Gaines, Galgiani, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff, Jackson, Lara, Leno, Leyva, Liu, McGuire, Mendoza, Monning, Morrell, Nguyen, Nielsen, Pavley, Roth, Stone, Vidak, Wieckowski, and Wolk—34.

Quorum present.

*(NOTE: Senator Pan will be excused this day on personal business. Senator Bates will be excused this day due to illness. Senator Mitchell will be excused this day due to a death in the family.)*



### PRAYER

Prayer was offered by the Chaplain, Sister Michelle Gorman, RSM:

Let us recall that we are always in God's presence. Today I'd like to stretch out the ancestry theme with a quote from Brian Swimme. In *The Universe is a Green Dragon*, Brian states:

"Our ancestry stretches back through the life-forms and into the stars, back to the beginnings of the primeval fireball. This universe is a single, multiform, energetic unfolding of matter, mind, intelligence, and life. All of this is new [to us] . . . We are the first generation to live with an empirical view of the origin of the universe. We are the first humans to look into the night sky and [comprehend] the birth of stars, the birth of galaxies, and the birth of the cosmos as a whole. Our future as a species will be forged within this new story of the world."

And at the same time, the poet Rumi says that the whole universe is contained within a single human—YOU!

*God of mystery and awe*, given the magnificence of our being human, we are always saddened when humans don't appreciate each other's uniqueness, and when we fail to listen to each other's perspectives. Today, we pray in a special way for the victims and families of the Paris massacre. Teach us to love and honor freedom of expression, and help us to act in ways that bring healing and wholeness for all Your people. We ask this in Your name.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Leyva led the Senate in the Pledge of Allegiance to the Flag.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

State Capitol, January 7, 2015

Mr. President: The Committee on Rules has made the following committee appointments:

#### **Agriculture (5)**

Galgiani (Chair), Cannella (Vice Chair), Berryhill, Pan, and Wolk

#### **Appropriations (7)**

Lara (Chair), Bates (Vice Chair), Beall, Hill, Leyva, Mendoza, and Nielsen

#### **Banking and Financial Institutions (7)**

Block (Chair), Vidak (Vice Chair), Galgiani, Hall, Hueso, Lara, and Morrell

#### **Budget and Fiscal Review (16)**

Leno (Chair), Nielsen (Vice Chair), Allen, Anderson, Beall, Block, Hancock, Mitchell, Monning, Morrell, Nguyen, Pan, Pavley, Roth, Stone, and Wolk

#### **Business, Professions and Economic Development (9)**

Hill (Chair), Bates (Vice Chair), Berryhill, Block, Galgiani, Hernandez, Jackson, Mendoza, and Wieckowski

**Education (9)**

Liu (Chair), Huff (Vice Chair), Block, Hancock, Leyva, Mendoza, Pan, Vidak, and Vacancy

**Elections and Constitutional Amendments (5)**

Allen (Chair), Anderson (Vice Chair), Hancock, Hertzberg, and Liu

**Energy, Utilities and Communications (11)**

Hueso (Chair), Fuller (Vice Chair), Cannella, Hertzberg, Hill, Lara, Leyva, McGuire, Morrell, Pavley, and Wolk

**Environmental Quality (7)**

Wieckowski (Chair), Gaines (Vice Chair), Bates, Hill, Jackson, Leno, and Pavley

**Governance and Finance (7)**

Hertzberg (Chair), Nguyen (Vice Chair), Bates, Beall, Hernandez, Lara, and Pavley

**Governmental Organization (11)**

Hall (Chair), Berryhill (Vice Chair), Block, Gaines, Galgiani, Hernandez, Hill, Hueso, Lara, McGuire, and Vidak

**Health (9)**

Hernandez (Chair), Nguyen (Vice Chair), Hall, Mitchell, Monning, Nielsen, Pan, Roth, and Wolk

**Human Services (5)**

McGuire (Chair), Berryhill (Vice Chair), Hancock, Liu, and Nguyen

**Insurance (9)**

Roth (Chair), Gaines (Vice Chair), Berryhill, Hall, Hernandez, Liu, Mitchell, Wieckowski, and Vacancy

**Judiciary (7)**

Jackson (Chair), Vidak (Vice Chair), Anderson, Hertzberg, Leno, Monning, and Wieckowski

**Labor and Industrial Relations (5)**

Mendoza (Chair), Stone (Vice Chair), Jackson, Leno, and Mitchell

**Legislative Ethics (6)**

Monning (Chair), Morrell (Vice Chair), Bates, Gaines, Leno, and Pavley

**Natural Resources and Water (9)**

Pavley (Chair), Stone (Vice Chair), Allen, Fuller, Hertzberg, Hueso, Jackson, Monning, and Wolk

**Public Employment and Retirement (5)**

Pan (Chair), Morrell (Vice Chair), Beall, Fuller, and Hall

**Public Safety (7)**

Hancock (Chair), Anderson (Vice Chair), Leno, Liu, McGuire, Monning, and Stone

**Transportation and Housing (11)**

Beall (Chair), Cannella (Vice Chair), Allen, Bates, Gaines, Galgiani, Leyva, McGuire, Mendoza, Roth, and Wieckowski

**Veterans Affairs (5)**

Nielsen (Chair), Hueso (Vice Chair), Allen, Nguyen, and Roth



**Joint Committee on Arts (6)**

Allen (Chair)

**Joint Committee on Fisheries and Aquaculture (4)**

McGuire (Chair)

**Joint Legislative Audit Committee (7)**

Roth (Vice Chair), Beall, Cannella, Fuller, Galgiani, Lara, and Leyva

**Joint Committee on Rules (14)**

Cannella, De León, Fuller, Hill, Huff, Lara, Leno, Leyva, McGuire, Mitchell, Monning, and Wolk

**Joint Legislative Budget Committee (8)**

Leno (Chair), Bates, Fuller, Lara, Mitchell, Monning, Nielsen, and Wolk  
DE LEÓN, Chair

**PRIVILEGES OF THE FLOOR****MOMENT OF SILENCE**

At Senator De León's request, the Senate observed a moment of silence in remembrance of the 12 people killed at the Charlie Hebdo newspaper headquarters in Paris, France on January 7, 2015.

**LEAVES OF ABSENCE**

The following Senator was granted leave of absence for the day on personal business: Senator Pan.

The following Senator was granted leave of absence for the day due to illness: Senator Bates.

The following Senator was granted leave of absence for the day due to a death in the family: Senator Mitchell.

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE  
SENATE DISPENSED WITH**

At 9:22 a.m., on motion of Senator De León, further proceedings under the quorum call of the Senate were dispensed with.

**MOTION TO ADJOURN**

Senator De León moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Monday, January 12, 2015.

Motion carried.



**REPORTS OF STANDING COMMITTEES****Committee on Rules**

State Capitol, January 7, 2015

Mr. President: The Committee on Rules has made the following appointments:

Appointed Xochitl A. Leon as a member of the California Board of Accountancy for a term ending January 1, 2019.

Appointed David Driscoll as a member of the California Actuarial Advisory Panel for a term ending January 1, 2017.

Appointed Susan McKee, J.D. as a member of the Capitol Area Committee for a term ending December 31, 2017.

Reappointed Guy A. Leemhuis, J.D. as a member of the California Commission on Disability Access for a term ending January 1, 2018.

Appointed Diana C. Amaya as a member of the Private Postsecondary Education Advisory Committee for a term ending at the pleasure of the Committee.

Reappointed Sonney L. Chong, D.M.D. as a member of the California Exposition and State Fair Board of Directors for a term ending December 31, 2018.

Appointed Jenny Chacon as a member of the Professional Fiduciaries Advisory Committee for a term ending January 1, 2019.

Reappointed the Honorable Don Perata as a member of the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy for a term ending January 1, 2019.

Appointed Lester P. Pincu, D.Crim. as a member of the Council on Mentally Ill Offenders for a term ending at the pleasure of the Committee.

Appointed Manuel Pastor, Ph.D. as a member of the Strategic Growth Council for a term ending at the pleasure of the Committee.

Appointed the Honorable Jose J. Solorio as a member of the California Student Aid Commission for a term ending January 1, 2019.

Appointed Wendy Max, Ph.D. as a member of the Tobacco Education and Research Oversight Committee for a term ending January 1, 2017.

DE LEÓN, Chair

State Capitol, January 7, 2015

Mr. President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation of confirmation:

Lai Lai Y. Bui, Member, Commission on Peace Officer Standards and Training (4-0)

Peter J. Kurylowicz, Jr., Member, Commission on Peace Officer Standards and Training (4-0)

Diane O. Wittenberg, Member, State Park and Recreation Commission (4-0)

Elva Yanez, Member, State Park and Recreation Commission (4-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

State Capitol, January 7, 2015

Mr. President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation of confirmation:

Lawrence R. Booth, Member, California Building Standards Commission (4-0)

David M. Carson, Member, California Building Standards Commission (4-0)

Elham Klausbruckner, Member, California Building Standards Commission (4-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

State Capitol, January 7, 2015

Mr. President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation of confirmation:

John A. Doyle, Chief Deputy Director, Developmental Services (4-0)

Davood Ghods, Chief, Office of Technology Services (4-0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.



State Capitol, January 7, 2015

Mr. President: The Committee on Rules has considered the following appointments by the Governor and reports the same back with the recommendation of confirmation:

Geoffrey L. Baum, Member, California Community Colleges Board of Governors (4–0)

Susan J. Husari, Member, State Board of Forestry and Fire Protection (4–0)

Richard G. Wade, Member, State Board of Forestry and Fire Protection (4–0)

DE LEÓN, Chair

Above appointments ordered to unfinished business.

#### **INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measure was introduced, read the first time and transmitted to the Committee on Rules for assignment:

**Senate Bill 68:** By Senator Liu—An act to amend Sections 361.5, 366.21, and 366.22 of the Welfare and Institutions Code, relating to juveniles.

#### **REQUESTS TO ADJOURN IN MEMORIAM**

Senator Anderson requested that when the Senate adjourns this day it do so in memory of CDR Dale Potter Helmer of Escondido.

Senator Galgiani requested that when the Senate adjourns this day it do so in memory of Jimmy Pendergrass of Stockton.

Senator Hancock requested that when the Senate adjourns this day it do so in memory of Barbarette Newton of Oakland.

Senator Huff requested that when the Senate adjourns this day it do so in memory of Barbara Green of Fullerton and Gary Neely of Corona.

Senator McGuire requested that when the Senate adjourns this day it do so in memory of John Pedroncelli of Healdsburg.

Senators McGuire and Wolk requested that when the Senate adjourns this day it do so in memory of William “Bill” Kortum of Petaluma.

Senator Wieckowski requested that when the Senate adjourns this day it do so in memory of Doris Rodriguez of Hayward.



**ADJOURNMENT**

At 3:30 p.m., on motion of Senator De León, the Senate adjourned pursuant to the Senators' requests until 2 p.m., Monday, January 12, 2015.

NEVA MARIE PARKER, Minute Clerk

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